

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VHA NCO 21 for VISN 21, Palo Alto Health Care System, requests approval of a Justification for Other Than Full and Open Competition for the requirement specified in purchase request 662-13-1-5096-0001.

2. **Nature and/or Description of the Action Being Processed:**

This action limits competition for the acquisition of the Police Radio System for the San Francisco VA Medical Center (SFVAMC). NCO 21 intends to award a new firm-fixed price contract to obtain these devices.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

The SFVAMC requires the following system to be installed:

The time period is estimated 90 days, estimated price is and the included quantities and details are listed below:

The contractor shall furnish and install a Radio Over IP (ROIP) System which will provide seamless integrated & encrypted communications within VISN 21 Police Services including Palo Alto, Menlo Park, Livermore, Martinez, Reno, Mather & Fresno. Contractor shall use existing infrastructure for communication bus at the SFVAMC facility. Contractor shall furnish and install new communication wiring for Radio System infrastructure at all other site locations. Contractor shall coordinate with COTR to determine pathways and routes. Contractor is responsible for all endpoint terminations. Contractor is responsible for all programming and configuration on all Radio System Components to ensure integrated communications with other VISN 21 Police Services. Contractor shall provide all system testing and commissioning. Contractor to provide eight (8) hour of onsite training. Contractor shall install hardware and network infrastructure at the following locations below:

SFVAMC : 4150 Clement Street San Francisco, CA 94121

Downtown : 401 3rd Street San Francisco, CA 94107 -

San Bruno CBOC : 1001 Sneath Lane, Suite 300 San Bruno, CA 94066

Santa Rosa CBOC: 3841 Brickway Blvd., Santa Rosa, CA 95403

Eureka CBOC: 903 W. Harris Street, Eureka, CA 95503

This one-time purchase is estimated to cost [REDACTED]

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c)(1), as implemented by FAR 6.302-2:

(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

The authority cited in paragraph 4 must be used because, according to the technical experts associated with this requirement, only the referenced contractors has the requisite knowledge, experience, and access to the proprietary software necessary to install a radio system compatible with the rest of the VA Police Forces in VISN 21. Furthermore, this contractor has already installed such systems in other VAs located in VISN 21.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

This requirement will be synopsisized in the GPE as required by FAR 5.201.

The synopsis will allow other offerors to respond. Offerors responding will be sent to the technical expert for analysis to determine if those systems could be feasible alternatives.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The Contracting Officer has determined that the anticipated price will be determined to be fair and reasonable. A Price Negotiation Memorandum (PNM) will detail how the Government has determined that the anticipated costs will be fair and reasonable.

As this item has been determined to be commercial, cost or pricing data will not be required. Pricing techniques such as are described in FAR 15.404-1(b)(2), will be used to establish price fairness and reasonableness.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

The VA consulted two subject matter experts: [REDACTED] and [REDACTED]
[REDACTED] The VA reviewed the previous order: VA640-A00794. The VA also searched vetbiz.

Market Research provides no evidence that contractors other than Telepath are able to meet VA requirements, specifically for compatibility.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

Several other VA Medical Centers in VISN 21 have upgraded to this system. Interoperability is requirement for the dispatch system. Lack of this interoperability puts VA Police Officers' lives at risk.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Telepath Corporation

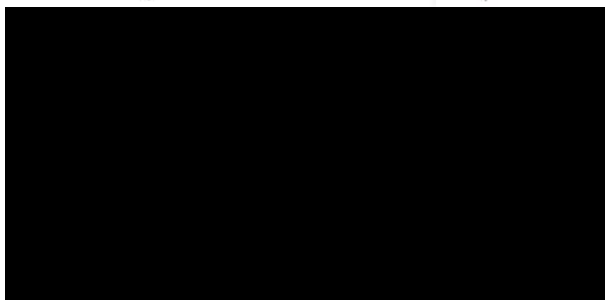
49111 Milmont Dr.
Fremont, CA 94538-7347

See Section VI above.

11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:

Once it becomes time for the VISN to purchase a completely new radio system, the VA will be in a better position to compete the requirement.

12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.



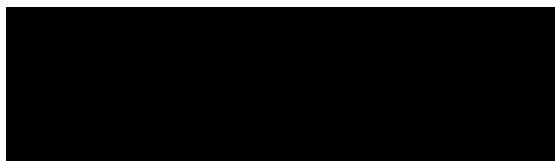
SFVAMC, VISN 21

12/03/2012

Date

13. Approvals in accordance with FAR 6.304

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

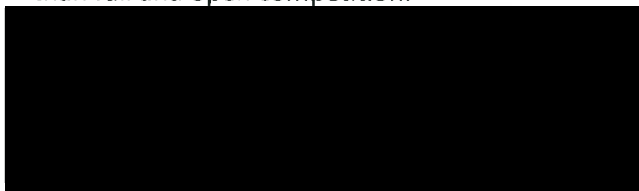


DANIEL E. CZECH
Contracting Officer
NCO 21

12-03-2012

Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.



Supply Team Manager, NCO 21

1/18/13
Date